

From: Kim S. [lady.dolfan@verizon.net]

Sent: Wednesday, October 08, 2003 8:08

To: adoptionregs@state.gov

Subject: docket number State/AR-01/96

To whom it may concern:

I have enclosed a copy of my comments on the New Hague Regulations recently written. I do think the regulations are very important to protect adoptive families from corrupt adoption agency here in the US.

Sincerely,
Kimberly Strong

10/9/2003

To whom it may concern:

At first, I was not going to comment and see what happened. I do have some concerns about the new regulations and the people over seeing the adoption agencies. International adoption is a very big franchise and money making opportunity for all people involved and it has been very corrupt. We have adopted three children from Russia and our first experience was the only one that turned out the way we were led to believe. The other two adoptions we have since dissolved do to the children both being special needs children with FAS and numerous other issues which we had been up front with our adoption agency that we would not accept. In addition, medical information on both of these children was changed by the agency's doctor working in Russia to make them appear to be health, normal children. Months after the adoption, we had learned that both of these children were in a special needs orphanage.

I am going through by section, the things that I feel need to be kept, modified and why.

Section 96.40 Fee policies and procedures.

I do agree with the way everything is written and that adoption agency should be required to give potential clients an estimated amount of the fees and expenses that can be expected during the process - in our case, they did add extra fees which we were not informed of at the last moment like translation fees. In addition, I strongly agree that this information should be available to the public about all agencies so, people can compare which in turn may make the cost easier for people to bear (all three times we paid close \$30,000 since we adopted children under the age of 2). I also liked the part that the agencies should have a way to wire money over to the foreign country so, that adoptive parent do not have to care large sums of money with them. It is scary having to go through customs and declare that much cash.

Section 96.41 and 96.70 Procedures for responding to complaints and improving service delivery. Review of complaints by the Complaint registry.

I do think there should be a complaint registry but, I do not like the fact that we have to file complaint in writing to the agency prior to the complaint registry. In our situation, we had two completely different medicals on both children. The first medical was given to us when we decided to accept the referral and travel to Russia. The next medical the one by the orphanage doctor we received in one case at the American Embassy after the adoption was finalized and we were heading home that evening so, neither my husband or myself did get the opportunity to read it and notice the changes. The second case the orphanage doctor medical report was given to me in New York by the INS officer and also happened to be in Russian and not English. At that point, the child was already here in the US and considered a citizen. Yes, I did mention my concerns to the respective agency about the changed medical history including measurements and the director kept saying the first doctor did not work for them but, Dr. Downing on the other hand said she did and was an employee of the agency. In addition, in court (and it is written down in the court document) that the orphanage doctor said the child was a special needs child and did indeed have perinatal encephalopathy or brain damage at birth - the translator in court never said that to us and she was employed by

the agency we used. In all honesty there is no way to come to a resolution with the agency in this situation, they gave us a child that was a special needs child instead of the healthy, normal child they told us each child was. A child that I told them I do could not parent which is also written in our home study and our application to search for a child.

Another concern I have is how anyone can assure clients that the adoption agency will keep a record of complaints. Unless someone is talking to the clients of that agency, the agency can make up altered complaints. If you ask the agency we used if anybody has disrupted or dissolved an adoption in the last year they told one client "no" which was untrue since we did in March of this year. The last concern about this is how can protect families that do complain and keep the agency from not retaliating?

Section 96.45 and 96.46 Using supervised providers in the US and abroad

I think this is very, very important to keep. I do feel that the agency should assume legal responsibility and accountable for its supervised providers abroad including the doctor's that write up the referral medical report. In our case, this stipulation would have given us the opportunity to hire legal representation. It is very clear in the orphanage doctor's reports that both children were a special needs child and when I sent the new report to a couple International Adoption Specialists they did conclude that the child's birth history and measurements represented a very high risk for fetal alcohol and mental retardation whereas the reports written by the agency's doctors represented a low risk for the one child and a very low risk for the second child. I am very upset because we did spend a lot of money to go over to Russia and adopt a healthy infant to find out we adopted a special needs child that would not work in our home and while they were in our home continued to spend quite a large sum on medical treatment for the child. I am also upset that the agency we used has a history of disgruntled clients and there are no reports on any agencies ethical standards which clients should be aware of.

Section 96.50 Placement and post adoption.

My concern with this is the agency responsibility when disrupting an adoption. First off, in Russia adoptions are finalized in Russia so, I think there should be a clause for dissolution of an adoption that was finalized abroad. I do think the agencies should be required in these scenarios to have responsibility for at least one to two years because some times that is how long it takes to work out the medical aspects or for families to decide that they can longer cope with the numerous issues they child may have. In both our dissolutions, we assumed all legal and financial responsibility. Both agency's had offered to find families to take the child but, I did not feel comfortable with them doing that when they would not even look at Dr. Federicci's written report and said he was incorrect even though I had three other doctors and two other International Medical Specialists saying the same thing.

I would also like to see another stipulation added to this and that is the agencies responsibility in having to inform potential clients there disruption rate for what ever country that family is adopting from so, again clients can compare honest vs. corrupt agencies.

In conclusion, I do think the new regulations have been well thought of and put together nicely. I do think that International Adoption Agencies should have more responsibility and accountable which they have not had in the past. In both cases, we have a strong wrongful adoption case but, lawyers unless you keep child will not take the case. To raise a child with severe FAS (fetal alcohol syndrome) would cost a family close to two to five million dollars which we do not have.

I do hope you will look into some of the issues I have brought up. We did not go over to Russia to adopt a child and have to dissolve the adoption. It was a very painful and traumatic decision to give up a child that you had very high hopes and dreams for. It does make me very upset of truthfully knowing how many other families are in our situation and there is no support or help for us that have disrupted/dissolved an adoption.

Sincerely,

Kimberly K. Strong